City of Keene
New Hampshire

PLANNING, LICENSES AND DEVELOPMENT COMMITTEE AGENDA

Council Chambers A
June 8, 2016
7:00 PM

David C. Richards
Philip M. Jones
Bettina A. Chadbourne
George S. Hansel
Robert B. Sutherland

1.	PERIODIC REPORT	Historic District Commission
2.	COMMUNICATION	Patrick Lagace/KHS Student Council Advisor - Request to Conduct Homecoming Parade – Keene High School
3.	COMMUNICATION	Peg Bruce/Keene Kiwanis Club – Request to Use City Property – Tree Lighting Celebration and Downtown Decorations
4.	COMMUNICATION	Ron Robbins/Keenesnoriders Snowmobile Club – Request to Use City Property
5.	COMMUNICATION	Mayor Lane – Request to Use City Property – Fall Festival
6.	MEMORANDUM	City Clerk – Use of City Property – Heidi's Hallmark
7.	MEMORANDUM	Parks, Recreation and Facilities Director – Keene Recreation Center Facility Use
8.	REPORT	Agriculture Commission – Creation of an Additional Food License Class
9.	COMMUNICATION	Councilors Clark and Richards – Funding of a Private Gas Pipeline – Rate Tariffs

MORE TIME ITEMS:

More Time Awaiting Either Public Hearings/Planning Board Review/Joint Committee:

A. Ordinance O-2016-01: Creation of Residential Preservation District, a Business Growth District and Re-Use District
B. Ordinance O-2016-02: Marlboro Street Project – Zone Change

Possible Non-Public Session

May 3, 2016

To Keene City Council,

This letter is to request permission to conduct the annual Keene High School Homecoming Parade on Saturday October 15th , 2016 at 10am in downtown Keene. The parade will use the same route as in previous years. Starting at NGM and proceeding down School Street to Emerald Street then making a left turn onto Main Street. We will proceed up Main Street and around the square, then down Main Street and make a right onto West Street and a left onto School Street and return to NGM Parking lot.

This event is not a fundraiser it is intended as a community spirit event connecting the High School with the Keene community. We would require two cruisers to control traffic during the parade. We will be including Alumni of Keene High School in this parade as well as the current high school groups with the hope of increasing school spirit and community awareness. We believe this is a worthwhile event and would greatly appreciate the city's support.

Please feel free to contact me with any questions.

Sincerely

Patrick Lagace
Student Council Advisor
Business & Information Department Chair

Kiwanis Club of Keene

www.keenekiwanis.org

2B

PMB Box 451
63 Emerald Street
Keene, NH 03431

OFFICERS:

Peg Bruce
President

David Ganio
Past President

Susan Farrell
Treasurer

Janet Genatt
Co-Treasurer

Pamela Little
Secretary

DIRECTORS:

Carl Allen
Paul Bothwell
James Faux
Donald Flibotte
Kelly Pearson
Eli Rivera

PAST PRESIDENTS:

David Ganio 2014-15
Beth Healy 2013-14
Gary Grashow 2012-13
Carl Allen 2011-12
Michael Haines 2010-11
Jodi Turner 2009-10
Judy Kalich 2008-09
Art Trombly 2007-08
Michael Ward 2005-07
Don Hayes 2004-05
Ed Morenz 2002-04
David Richards 2001-02

May 11, 2016

Mayor Lane and the Keene City Council
3 Washington Street
Keene, NH 03431

In City Council May 19, 2016.
Referred to the Planning, Licenses and Development Committee, which will meet Wednesday, May 25, 2016 at 7:00 PM in Council Chambers, Keene City Hall. You hereby notified of the meeting and requested to be present.

City Clerk

Re: 11/25/2016 Tree Lighting, Central Square, Keene, NH

Dear Mayor Lane and the Keene City Council:

The Kiwanis Club of Keene requests a license to produce the 2016 Tree Lighting Celebration. The proposed date and time of the event is November 25, 2016, 5 p.m. to 8 p.m. This event compliments the Kiwanis' mission of supporting our local youth. Some of our recent events include: our "Kool Wheels" Family Fun and Safety Day held each year at the Keene Recreation Center, our participation in Green Up Keene at Robinhood Park and the litter collection on the North Bridge Bike Rail Trail. Our five youth groups are very active and do many projects of their own as well as volunteering and helping at the Club's events.

This is the fourth year we are managing this event and we are asking to repeat what we did last year. We would like permission to again decorate the downtown center island light poles with wrapped LED white lights from the Flag Pole to the light on the far side of the circle at the Post Office. We plan to once again have wreaths and lights on the gazebo on Central Square. We received many positive comments from the downtown merchants with the addition of the LED lights on the light poles last year.

The new item we would like to do would be to place a tree with lights on the Circle at the intersection of Main St., Winchester St. and Marlboro St. David Ganio, a member of the club, sells Christmas trees each year and he would provide that tree. We are wondering if there is a source of electricity on the circle to use for those tree lights.

We plan to do the decorating on a Saturday earlier in the month of November. The 2015 event was the best attended over the we have been doing this. The warmer than average temperatures I am sure contributed to the larger attendance. We would like to have the fire truck circle the square this year if it can be arranged. We had 500 bells and gave them all away and still had folks looking for more.

Feel free to contact me should there be any questions. I am the current President of the Kiwanis Club of Keene and the co-chair of the 2016 Tree Lighting Committee. I can be reached at 603-762-7276 or emailed at bru.peg@ne.rr.com.

Thank you for your consideration of this request.

Sincerely,

Peg Bruce, President

Peg Bruce, President 2015-2016
Kiwanis Club of Keene

Keene Kiwanis Foundation is a 501(c) 3 organization, tax exempt number: 020458160

KEENESNORIDERS
PO BOX 1511
KEENE NH 03431

In City Council June 2, 2016.
Referred to the Planning, Licenses and Development Committee, which will meet Wednesday, June 8, 2016 at 7:00 PM in Council Chambers, Keene City Hall. You are hereby notified of the meeting and requested to be present.

2A

City Clerk

May 18th, 2016

To the Mayor and City Council:

The KeeneSnoRiders Snowmobile club is seeking renewal for permission to run snowmobiles in the right of way along Krif Road from the Ashuelot Rail Trail to Winchester Street, crossing Winchester Street to the property of Perry Kiritsy at 471 Winchester Street. The time frame would run from December 15TH 2015 through March 30th 2016 snow permitting.

We currently have permission from the following property owners:

Emile J. Ledger	*460 Winchester Street*	*Tax Map: 84-02-001*
Kiritsy LLC.	*471 Winchester Street*	*Tax Map: 911-26-043*
Emile Bergeron	*OFF Base Hill*	*Tax Map: 911-26-055*
State of NH		*Tax Map: 911*

We are asking renewals of license for permission to cross the following City of Keene properties:

Access to portion of Old Gilsum Rd. approximate one mile to Gilsum town line.
Crossing of Winchester St. at Krif Road
Crossing of Production Avenue approximately 200 ft. South of Route 9

Tax Map:	*909-05-012*	*Off Route 10 by three mile reservoir*
Tax Map:	*911-26-015*	*Off Wetmore Street*
Tax Map:	*909-03-210*	*See Note Below*

This is 50 feet of Keene property Tax Map 909-03-210000 to access onto power line from location were our trail groomer is located. We have been giving permission from Paul Gagnon from the Society for the Protection of New Hampshire Forests where he has stated that this is acceptable in regards to the easement on property. Contact him with any questions.

We are available to answer any concerns you may have.

Thank You,

Ron Robbins
President/Trail Administrator
Keenesnoriders Snowmobile Club
603-209-1344

City of Keene
New Hampshire

2D

May 10, 2016

TO: Keene City Council

FROM: Kendall W. Lane, Mayor

SUBJECT: Request to use City Property for the Fall Festival

In the spring of 2015, City Council approved the idea of holding a Fall Festival in Keene. A committee was assigned to identify the parameters for holding a Fall Festival.

Over the last several months, committee members have been working to put together a community event to celebrate all that makes the Monadnock area special. This event, entitled *The Monadnock Fall Festival; A Celebration of Community and Culture,* will include music, theater, art, poetry, agriculture, small businesses, education and all of the other things that make our area unique. It is being designed to showcase the things that make our area a place to be proud of. Keene State College is collaborating with this event to have it occur during their Parents' Weekend. It is being designed as a way for all of us to celebrate ourselves, and to get to know all of the interesting resources that are located within the Monadnock area.

The Committee has selected the date of Saturday, October 1st, 2016. The scheduled hours for activities are 10:00 AM until 4:00 PM. We are seeking permission to use Main Street and Gilbo Avenue. Sections of sidewalks will be utilized for displays ensuring that pedestrian traffic is not in any way restricted. We will be requesting that Gilbo Avenue be closed and that the use of Police and Fire Department Personnel will be needed to detail the event.

In City Council May 19, 2016.
Referred to the Planning, Licenses and Development Committee.

City Clerk

City of Keene
NEW HAMPSHIRE

May 15, 2016

TO: The Planning, Licenses and Development Committee

FROM: Patricia A. Little, City Clerk

RE: Use of City Property – Heidi's Hallmark

Recommendation:

That permission be granted to Heidi's of New England for the placement of canopy stanchions and shrubbery on City property located along the side of their building, subject to the customary licensing requirements of the City Council, and compliance with any recommendations of City staff.

Background:

In 1997 the owner of Heidi's of New England approached the City Council asking for permission to create and maintain a flower bed along the side of his building, as well as permission for a canopy over his side entrance with canopy stanchions that are affixed to the ground. At the time he was granted a revocable license that would need to be renewed year to year. As this activity is in keeping with other non-lapsing revocable licenses the City maintains with entities wishing to place encumbrances on city property, it would seem reasonable to extend the same type of license to this licensee. Another example of this type of use would be the fencing that was installed on city property at Leon's Auto Body.

City of Keene
New Hampshire

May 31, 2016

TO: Planning, License and Development Committee

THROUGH: Med Kopczynski, City Manager

FROM: Andy Bohannon, Parks, Recreation & Facilities Director

SUBJECT: Keene Recreation Center Facility Use

Recommendation:

Accept as informational.

Background:

On December 9, 2015, the Planning, License and Development Committee provided direction for a review of utilized space at the Recreation Center. This conversation was brought forward by the idea of collaborating with the Keene Senior Center to share space at the Recreation Center for the purpose of creating a community center.

To further review the opportunity of collaboration with the Keene Senior Center, a review of the Comprehensive Master Plan (CMP) and Active Passive Recreation Management Plans both highlight the need for the possible expansion. In the CMP, pages 100-101, Community Health and Wellness – it is stated, "we should explore the possibility of creating a new multi-generational community/senior center in a centrally located, walkable, transit-friendly location within our downtown area...These facilities could provide programming for seniors as well as opportunities for intergenerational interaction and support."

Along with this concept, the Active & Passive Recreation Management Plan provides the following values and visions that were identified by community members and stakeholders: access and equity for all, active living, variety, quality, sustainability, and collaboration. In addition, several key issues and recommendations focused on the need for further collaboration and program opportunities for multi-generations within our community. Specifically the following were suggested:

Key Issue 6 – Monitor Levels of Service for Parks, Trails, Open Space and Facilities

Recommendation 11 – Provide equal access and adequate mix of facilities, trails, and open space throughout the City.

Recommendation 12 – Improve the level of service in parks, facilities, trails and open space.

Key Issue 7 – Strengthen and Formalize Collaborations

Recommendation 13 – Enhance communications and outreach efforts to increase community awareness of involvement in Department programs, services and facilities.

Key Issue 8 – Implement Cost Recovery Methodology and Service Assessment

Recommendation 15 – Conduct comprehensive service assessment to eliminate duplication of services and enhance resource efficiency.

Key Issue 9 – Enhance Program Offerings

Recommendation 16 – Conduct a review of program offerings to evaluate program area balance and effectiveness.

These areas and additional ideas need to be explored before dedicating the space for this purpose. In addition to the current uses at the Recreation Center, the need for additional programming and operational space should be considered. As the Parks, Recreation and Facilities Department continues to shape itself towards a true community services model, how and / or will this incorporate additional city services, if any.

In exploring the programming question, the need to consider the actual programming capacity of the facility, the Recreation division is currently reviewing initiatives to enhance the programming for the community's aging demographic, along with parking overlap issues. In addition, the operations model needs to be reviewed for program supervision, building maintenance, and the heating and air conditioning systems. Currently, the building only has air conditioning in the administrative offices. To initiate programming year round, building systems would need to be upgraded to meet the year programming demand.

For a more comprehensive review of this collaboration there needs to be a feasibility study conducted. This will provide the opportunity for public input, programming models to include space utilization and expansion, a facility systems review, and a service delivery model to create greater efficiencies for the public.

Opportunities for such a study could be done through a Community Development Block Grant which has the next round of funding in October 2016.

Current Programming:

The schedule below is a representation of the current facility use at the Recreation Center. The schedule does not depict seasons which could represent more or less programming. For example, during the January and February time frame, the building is at full capacity from 3:00pm till close. During the summer months, the building is empty the majority of time as current staffing levels do not allow for year round meeting availability.

Gymnasium*	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7:00 - 10:00		walking	walking	walking	walking	walking	
10:00-12:00	Open Gym	pickle b	zumba	pickle b	zumba	pickle b	Open Gym
12:00-3:00	Open Gym	basket b		basket b		basket b	Open Gym
3:00-6:00		C / Open	C / Open	C / Open	C / Open	C / Open	
6:00-9:00		Programs	Programs	Programs	Programs	Programs	

Multi-Purpose*	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7:00 - 10:00		walking	walking	walking	walking	walking	
10:00-12:00		Shape up	Play group	Shape up	Play group	Shape Up	
12:00-3:00							
3:00-6:00		CATCH	CATCH	CATCH	CATCH	CATCH	
6:00-9:00		Programs	Programs	Programs	Programs	Programs	

Room 11*	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7:00 - 10:00							
10:00-12:00							
12:00-3:00							
3:00-6:00		Meetings					
6:00-9:00		Meetings	Meetings	Meetings	Meetings	Meetings	

Room 12*	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7:00 - 10:00			Meetings	Meetings	Meetings		
10:00-12:00			Meetings	Meetings	Meetings		
12:00-3:00							
3:00-6:00							
6:00-9:00		Meetings	Meetings	Meetings	Meetings	Meetings	

Game Room*	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7:00 - 10:00							
10:00-12:00			Ping Pong		Ping Pong		
12:00-3:00	Open						Open
3:00-6:00		CATCH	CATCH	CATCH	CATCH	CATCH	
6:00-9:00							

Room 14*	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7:00 - 10:00							
10:00-12:00							
12:00-3:00	Rentals						Rentals
3:00-6:00	Rentals	CATCH	CATCH	CATCH	CATCH	CATCH	Rentals
6:00-9:00		Meetings	Meetings	Meetings	Meetings	Meetings	

Room 21*	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7:00 - 10:00							
10:00-12:00							
12:00-3:00		CATCH	CATCH	CATCH	CATCH	CATCH	
3:00-6:00		CATCH	CATCH	CATCH	CATCH	CATCH	
6:00-9:00		Program			Program		

Room 22*	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7:00 - 10:00				Rental			
10:00-12:00				Rental			
12:00-3:00							
3:00-6:00							
6:00-9:00		Meetings	Meetings	Meetings	Meetings		

City of Keene
New Hampshire

MEMORANDUM

TO: Planning Licenses & Development

FROM: Agriculture Commission

DATE: May 23, 2016

SUBJECT: Creation of an Additional Food License Class

Recommendation

"Councilor Chadbourne made a motion for the Agriculture Commission to direct City staff to move forward and draft a letter recommending that the City Council consider creating a new class of license to accommodate small, local farmers, with details to come later. The motion was seconded by Mr. Daloz, and passed by unanimous vote."

Background

"John Rogers, Acting Health Director, stated that Mr. Florenz contacted him about what licensing the City requires for him to be able to sell his product that has been shipped off and processed at a United States Department of Agriculture (USDA) facility. He continued that NH has 16 self-inspecting towns, and in the other towns the State does the licensing. The City of Keene has the authority under State law to create its own rules and regulations about food establishments. The City has four classifications. What Mr. Florenz proposes falls under Class 3, and there is a $200 annual fee associated with it.
Vice Chair Wilton asked how the classifications and fees are determined. Mr. Rogers replied that they come from a City ordinance that has been in place for a long time, authorized by State RSAs. He continued that these numbers have remained steady for many years. They had a slight increase a few years ago.
Mr. Florenz stated that there is a broad class of establishments that fall under Class 3. He continued that the fee covers the cost of the City carrying out the inspections. Mr. Rogers stated that because Mr. Florenz is shipping the meat off to a facility for processing and would only be selling frozen product, the Health Department does not need to do as much work as they would for inspecting other establishments. He continued that the State has many more classifications than the City does, since they have many more establishments to inspect. If Mr. Florenz lived in a town covered by the State instead, his establishment would be considered Class 4, for a $100 fee – sellers of pre-frozen meat or poultry. That is an example to point to, if the Agriculture Commission wants to pursue that. If so, the advice from the City Clerk is for the commission to draft a letter to the City Council asking for that change, and the letter would most likely be referred to the Planning, Licenses, and

Development (PLD) Committee. The PLD Committee would probably refer back to staff for a recommendation for what to draft in the ordinance. He would point to how the State has done it. Mr. Rogers gave examples of municipalities they look at that are similar in size and how they do it.
Councilor Chadbourne suggested that someone give a little background information about this discussion, for the benefit of the members of the public that are present. Vice Chair Wilton stated that they are talking about the process of small scale meat processing and production and distribution. At the previous meeting they discussed how a $200 fee for this particular classification would make it prohibitive to do it on a very small scale. Mr. Florenz stated that he has a small pig farm and used to sell pigs whole but now wants to sell individual cuts. He continued that it is necessary to use a USDA-inspected slaughter house. He pays them a lot of money to have the meat come back frozen and inspected. The City has specific regulations about who can sell and what kind of license is needed from the City. Selling pork is not his primary business, so a $200 annual fee is significant enough that it would make it not worth it for him. He does not want to circumvent the inspection, because the inspection is valid. He wants to make the fee more in line with the work that is done.
Councilor Chadbourne asked for Mr. Rogers to explain what the inspection/$200 covers. Mr. Rogers replied that in most situations the $200 covers a plan review and more department time than it would take for Mr. Florenz's situation. He continued that he is right that the fee is meant to cover the department's cost. In this situation, most of the inspections/work would be covered by the USDA inspectors and that facility, and it would only be a minimal output of time from the City, because they would only be inspecting the storage of the product/checking his freezer unit. That inspection, including the paperwork, might just take an hour a year.

Vice Chair Wilton asked if the Agriculture Commission should suggest creating a new classification, or a process by which the City could take Class C and normalize it to a smaller scale. Mr. Rogers replied that they could suggest creating a new class specifically for USDA-inspected frozen meat. The commission could write a letter about this. Vice Chair Wilton asked if he could work with someone to craft such a letter. Mr. Rogers replied that he could read a draft. He continued that if the commission gets just the request to the City Council, which would most likely be referred to the PLD Committee, the details would come later in the process.

Councilor Chadbourne stated that the letter would go to the Mayor and the City Council, and the Mayor would assign it to the PLD Committee, of which she is a member. Someone would have to present the letter at the PLD Committee meeting, and the committee would discuss it and vote on a recommendation, most likely to have staff draft the ordinance change. She continued that it would need a full City Council vote, and would come back to the PLD Committee in a draft, which would be returned to the City Council for a vote.

Mr. Daloz asked if the City inspects products sold at the farmer's market. Mr. Rogers replied that the City licenses the farmer's market as a whole, requiring that any time or temperature-controlled product (like meat) sold there come from an approved USDA facility. He continued that there are some exemptions but pork has to meet that. Brief discussion ensued about the different requirements for poultry, pork, eggs, roadside stands, and so on and so forth.

Mr. Daloz stated that his interest is increasing the flow of agriculture products of people in the city. He asked if he should review the 4 categories and begin to go from there, regarding what kinds of things could be done in small roadside stands. Mr. Rogers replied that that is a separate conversation entirely. He continued that there are different zones in the city and it depends on what zone a person is in. Mr. Florenz is in an agricultural zone, so it opens the door a bit for him. For the most part, people cannot sell anything out of their homes (e.g. conduct commercial business) in residential zones. Home businesses must have minimal impacts. Vice Chair Wilton asked if this is done in Vermont. Mr. Rogers replied that he does not know.

Mr. Florenz stated that he is sympathetic to the City inspections and knows they have to be careful – if someone is preparing hazardous food they do not want it to have unintended consequences and a lot can go wrong with meat. He continued that they have to be cautious about how much to loosen regulations.

Mr. Daloz questioned how to suggest breaking down the four classifications – would there be a long list of subcategories or is there a way of allowing this localization? Mr. Rogers spoke more about the classifications, noting that Class 4 is for non-profit entities and schools, which are not charged a fee. Discussion continued, and Mr. Florenz stated that the question seems to be whether to address specific issues as they come up, or do a holistic review. He continued that it seems daunting to do a top down review. In his opinion, it is probably better for the commission to wait until someone asks a question and address each question as they come up. Mr. Daloz replied yes, if they get a lot of questions they can look at it holistically. But this seems relatively simple to do.

Mr. Rogers gave information about the City Council meeting cycles and suggesting the Agriculture Commission draft a letter by two Mondays from now in order to get it on the agenda. He continued that he would go to the committee meeting (most likely PLD) to speak to the committee members and take their questions, and they would vote on what to do. It should not take staff very long to draft and they do not need to recreate the wheel. It would be a matter of coming up with some of the things they have talked about today, such as the time frame, what the cost would be for the City to issue a license under this category, and a recommendation for the fee, such as $50 or $100.

Councilor Chadbourne stated that it would take two City Council cycles/a couple of months to go through the process, but to speed it up for Mr. Florenz's sake, they could skip the step of waiting until the next Agriculture Commission meeting to have the commission members approve the letter that gets drafted. She asked Ms. Kessler if it would be appropriate for the commission members to agree on the draft letter through emails with each other. Ms. Kessler replied that they could have Ms. Chalice draft a letter and email it to the group, as long as each recipient replied just to Ms. Chalice instead of "reply all," because then it would be like an online meeting [and they would be in violation of the Right To Know law.]

Mr. Florenz asked if they can vote to authorize one person to draft the letter. He suggested wording for such a motion. Discussion ensued about the wording.

Councilor Chadbourne made a motion for the Agriculture Commission to direct City staff to move forward and draft a letter recommending that the City Council consider creating a new class of license to accommodate small, local farmers, with details to come later.

The motion was seconded by Mr. Daloz, and passed by unanimous vote.

Ms. Kessler stated that she can explain this to Ms. Chalice and let her know that the commission wants to see a draft. She can be clear about what happens after that. Mr. Florenz offered to help as much as he is allowed to. Councilor Chadbourne replied that staff does this all the time and they have a good idea of where the boundaries are. Mr. Rogers showed Mr. Florenz the documentation of the fee structures.

Mr. Daloz stated that it would be nice to have somewhere, maybe online, the set of regulations that agriculture operates under in Keene. Mr. Rogers replied that it really depends on what specifically he is referring to, because it could be numerous things, such as poultry, dairy, your own produce, someone else's produce, and so on and so forth. There are zoning issues to consider, too. Mr. Florenz added, and the question of at what point it is agriculture versus retail versus a food service establishment." *Minutes of Thursday, April 21, 2016*

In City Council May 19, 2016.
Referred to the Planning, Licenses and Development Committee, which will meet Wednesday, May 25, 2016 at 7:00 PM in Council Chambers, Keene City Hall. You hereby notified of the meeting and requested to be present.
Mayor and Council
3 Washington St.
Keene, NH 03431

City Clerk

May 6, 2016

2C

Mayor and City Councilors,

We move that the Keene City Council adopt a resolution opposing the funding of a private gas pipeline through a distribution cost recovery rate tariff.

Respectfully,

Terry M. Clark
City Councilor - Ward 3
661-8347
14 Barrett Avenue
Keene, NH 03431
tmclark@ci.keene.nh.us

David C. Richards
City Councilor - Ward 3
352-1084
201 Court St.,
Keene, NH 03431
dcrichards@ci.keene.nh.us